

**RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO:**

Attn: Sherri a. Jackson  
Cascade Aggregate Resources, LLC  
4815 Tingley Lane #A  
Klamath Falls, Or 97603

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**PROPERTY LINE ADJUSTMENT DEED**

Richard R. Rodgers and Charlotte D. Rodgers, as tenants by the entirety, Grantor, conveys to Cascade Aggregate Resources, LLC, an Oregon Limited Liability Company, Grantee, the real property situated in Klamath County, described in Exhibit "B" attached hereto.

This instrument is executed to accomplish a property line adjustment between Grantor's parcel described in Exhibit "A" attached hereto ("Grantor's Parcel"), as vested in Grantor pursuant that certain Statutory Warranty Deeds recorded in Volume M96, Page 33813 and Volume M04, Page 77341. And Grantee's parcel described in Exhibit "A" attached hereto ("Grantee's Parcel"), as vested in Grantee pursuant to that certain Statutory Warranty Deed recorded in Instrument No. 2016-013629. The Map of Survey of Property Line Adjustment 01-17 was recorded in The Klamath County Surveyor's Office. The purpose of this adjustment is to enlarge Grantee's Parcel and reduce Grantor's Parcel by the sale of the property described in Exhibit "B" attached hereto. No new parcel shall be created by the execution of this instrument. The post adjustment size and configuration of Grantee's Parcel and Grantor's Parcel shall be as described in Exhibit "C" attached hereto.

Grantor's Parcel APN: R-3708-02500-00600 & R-3709-03000-00300

Grantee's Parcel APN: R-3708-02500-00300 & 00500

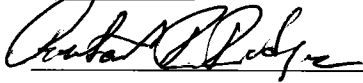
The true consideration for this conveyance is: \$ 100.

AMERITITLE has recorded this instrument by request as an accommodation only, and has not examined it for regularity and sufficiency or as to its effect upon the title to any real property that may be described therein.

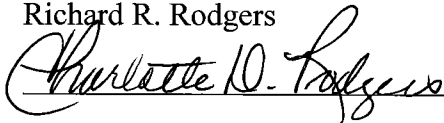
**ORS 93.040(1):** BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010

Dated 4/21/2017.

GRANTOR:



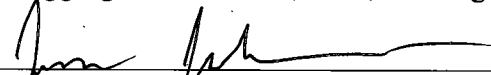
Richard R. Rodgers



Charlotte D. Rodgers

GRANTEE:

Cascade Aggregate Resources, LLC, an Oregon Limited Liability Company

By: 

Name: JAMIE JACKSON

Its: Member

STATE OF OREGON )

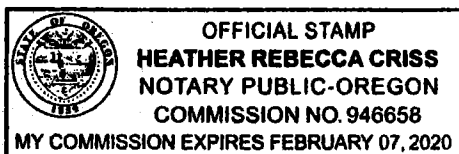
) ss.

County of Klamath )

BEFORE ME, the undersigned authority, on this day personally appeared Richard R. Rodgers, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 21st day of April, 2017.

(SEAL)



Heather Rebecca Criss  
NOTARY PUBLIC, STATE OF OREGON  
Print name: Heather Rebecca Criss  
My commission expires: 02-07-2020

STATE OF OREGON )

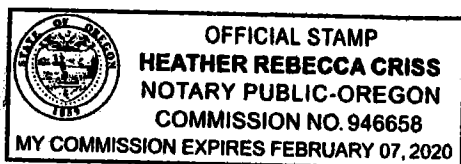
) ss.

of Klamath )

BEFORE ME, the undersigned authority, on this day personally appeared Charlotte D. Rodgers, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 21st day of April, 2017.

(SEAL)



Heather Rebecca Criss  
NOTARY PUBLIC, STATE OF OREGON  
Print name: Heather Rebecca Criss  
My commission expires: 02-07-2020

STATE OF OREGON )

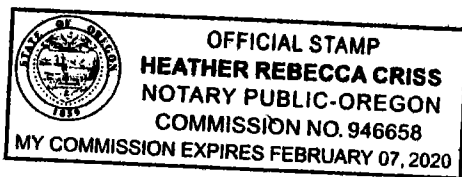
) ss.

County of Klamath )

BEFORE ME, the undersigned authority, on this day personally appeared JAMIE JACKSON  
as Member of Cascade Aggregate Resources, LLC, an Oregon  
Limited Liability Company

Given under my hand and seal of office this 18<sup>th</sup> day of April, 2017.

(SEAL)



Heather Rebecca Criss  
NOTARY PUBLIC, STATE OF OREGON  
Print name: Heather Rebecca Criss  
My commission expires: 02-07-2020

## EXHIBIT A

### Prior Legal Descriptions

(PRIOR to Property Line Adjustments)

#### Grantor's Parcel

APN: R-3708-02500-00600 & R-3709-03000-00300

#### Unit 1:

Lots 6, 7, and 8 of Section 30, Township 37, South, Range 9 East of the Willamette Meridian.

#### Unit 2:

All of those portions of Lots 6, and 8 of Section 25 and Lots 1, 2, and 3 of Section 36, Township 37 South, Range 8 East of the Willamette Meridian, which lies Easterly from the Easterly boundary of the right of way of the Oregon Eastern Railway (Southern Pacific Railway.)

All of those portions of Lots 1 and 5 of Section 25, Township 37 South, Range 8 East of the Willamette Meridian, which lies easterly from the Easterly boundary of the right of way of the Oregon Eastern Railway (Southern Pacific Railway) SAVING AND EXCEPTING THEREFROM That certain tract heretofore conveyed to Leonard Hamilton by deed dated March 16, 1940, recorded in Volume 128 at page 279, Deed Records of Klamath County, Oregon, AND ALSO EXCEPTING THEREFROM those certain parcels deeded to the State of Oregon, by and through its State Highway Commission by Robert E. Graham, et al, dated April 11, 1940, recorded April 29, 1940, and T.B. Watters, et ux, dated August 2, 1941, recorded August 15, 1941, in Volume 129 at page 21 and Volume 140 at page 349, respectively, Deed Records of Klamath County, Oregon.

#### Unit 3:

A piece or parcel of land situated in Lot 6, Section 30, Township 37, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at the meander corner of the westerly boundary of Section 30, Township 37 South, Range 9 East of the Willamette Meridian, from which the Northwest corner of said Section bears North 1° 17' East 1803.1 feet distant; thence South 0° 33' West along the Westerly boundary of said Section 30, 460.6 feet; thence East 283.0 feet, more or less, to the meander line; thence North 31° 10' West along the meander line 538.3 feet, more or less to the point of beginning.

AND a piece or parcel of land situated in Lots 1 and 5, Section 25, Township 37 South, Range 8 East of the W.M. in Klamath County, Oregon being more particularly described as follows:

All those portions of Lots 1 and 5, Section 25, Township 37 South, Range 8 East of the W.M. lying Northerly and Easterly from the center line of Klamath County Road No. 698 (original Dalles-California Highway) as the same is presently located and constructed.

Unit 4:

All that portion of Government Lot 4 Section 30, Township 37 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, lying Westerly of the Westerly line of Shady Pine Road.

**Grantee's Parcel**

APN: R-3708-02500-00300, R-3708-02500-00500 & R-3709-0300-00200

Unit 1:

Government Lots 1,2,3,4 lying Easterly line of Shady Pine Road, and 5; the NW1/4 of the NE1/4; the E1/2 of the NW1/4; All in Section 30 Township 37 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

A parcel of land situated in Lot 5, Section 25, Township 37 South Range 8 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Beginning at an iron rod monument on the Westerly right-of-way line of Shady Pine Road which bears South 05° 01' 49" West a distance of 1335.29 feet from the brass cap monument marking the Northeast corner of said Section 25; said beginning point being the Southeasterly corner of parcel described in Volume M86, page 15572, Microfilm Records of Klamath County, Oregon; thence Southeasterly along the Westerly line of Shady Pine Road to its intersection with the East line of said Section 25; thence South 01° 17' West 5.0 feet, more or less, to the meander corner; thence South 0° 33' West along the East line of said Section 25 a distance of 460.6 feet; thence West 466.6 feet, more or less, to a point on the Easterly right-of-way line of the relocated Dalles-California Highway; as the same is presently located and constructed; thence Northerly along said right-of-way line to the Southwest corner of parcel described in Volume M86, page 15572, Microfilm Records of Klamath County, Oregon; thence North 87° 54' East along the South line of said parcel a distance of 374.83 feet, more or less, to the point of beginning

EXCEPTING THEREFROM that portion of a strip of land 25 feet in width that lies within the above described property, said strip is described in Volume 128, page 279, Deed Records of Klamath County, Oregon, and shown on record of survey no. 1545.

## EXHIBIT B

### **Legal Description of Property Conveyed as part of the Property Line Adjustment**

A tract of land situated in the E1/2 of Section 25, T.37S. R.8E. and the W1/2 of Section 30, T37S. R.9E. of the W.M., Klamath County Oregon, being more particularly described as follows:

Commencing at the northeast corner of said Section 25 thence South  $02^{\circ}13'53''$  West, 1499.49 feet to the TRUE POINT OF BEGINNING, said point being on the southwesterly right-of-way line of Shady Pine Road; thence along said right-of-way line, along the arc of a 24850.48 foot radius curve to the right, through a central angle of  $01^{\circ}18'35''$  (the long chord of which bears South  $30^{\circ}21'42''$  East, 568.05 feet) an arc distance of 568.06 feet to a point of compound curvature; thence continuing along said right-of-way line, along the arc of a 2053.89 foot radius curve to the left, through a central angle of  $09^{\circ}41'19''$  (the long chord of which bears South  $33^{\circ}25'10''$  East, 346.90 feet) an arc distance of 347.31 feet; thence, continuing along said right-of-way line, South  $37^{\circ}14'05''$  East, 596.14 feet; thence, leaving said right-of-way line, North  $89^{\circ}03'07''$  West, 1315.63 feet to the easterly right-of-way line of Highway 97; thence along said easterly right-of-way line, North  $00^{\circ}10'19''$  West, 773.13 feet to the southwest corner of Parcel 2 as described in Deed Volume M04-79169, as recorded at the Klamath County Clerks Office; thence leaving said easterly right-of-way line and along the southerly line of said Parcel 2, South  $89^{\circ}03'07''$  East, 466.63 feet to the southeast corner of said Parcel 2; thence along the easterly line of said Parcel 2 the following two courses, North  $01^{\circ}29'53''$  East, 460.60 feet; thence North  $02^{\circ}13'53''$  East a distance of 6.70 feet to the Point of Beginning. Basis of Bearings is Grid north of the Oregon State Plane Coordinates System of 1983, South Zone.

Containing 19.72 Acres, more or less.

## EXHIBIT C

### New Legal Descriptions

(POST Property Line Adjustment)

#### Grantor's Parcel

##### Unit 1:

Lots 6, 7, and 8 of Section 30, Township 37 South, Range 9 East of the Willamette Meridian.

##### Unit 2:

All of those portions of Lots 6, and 8 of Section 25 and Lots 1, 2, and 3 of Section 36, Township 37 South, Range 8 East of the Willamette Meridian, which lies Easterly from the Easterly boundary of the right of way of the Oregon Eastern Railway ( Southern Pacific Railway.)

All of those portions of Lots 1 and 5 of Section 25, Township 37 South, Range 8 East of the Willamette Meridian, which lies easterly from the Easterly boundary of the right of way of the Oregon Eastern Railway (Southern Pacific Railway) SAVING AND EXCEPTING THEREFROM That certain tract heretofore conveyed to Leonard Hamilton by deed dated March 16, 1940, recorded in Volume 128 at page 279, Deed Records of Klamath County, Oregon, AND ALSO EXCEPTING THEREFROM those certain parcels deeded to the State of Oregon, by and through its State Highway Commission by Robert E. Graham, et al, dated April 11, 1940, recorded April 29, 1940, and T.B. Watters, et ux, dated August 2, 1941, recorded August 15, 1941, in Volume 129 at page 21 and Volume 140 at page 349, respectively, Deed Records of Klamath County, Oregon.

##### Unit 3:

A piece or parcel of land situated in Lot 6, Section 30, Township 37, Range 9 East of Klamath County, Oregon, being more particularly described as follows:

Beginning at the meander corner of the westerly boundary of Section 30, Township 37 South, Range 9 East of the Willamette Meridian, from which the Northwest corner of said Section bears North 1° 17' East 1803.1 feet distant; thence South 0° 33' West along the Westerly boundary of said Section 30, 460.6 feet; thence East 283.0 feet, more or less, to the meander line; thence North 31° 10' West along the meander line 538.3 feet, more or less to the point of beginning.



AND a piece or parcel of land situated in Lots 1 and 5, Section 25, Township 37 South, Range 8 East of the W.M. in Klamath County, Oregon being more particularly described as follows:

All those portions of Lots 1 and 5, Section 25, Township 37 South, Range 8 East of the W.M. lying Northerly and Easterly from the center line of Klamath County Road No. 698 (original Dalles-California Highway) as the same is presently located and constructed.

Unit 4:

All that portion of Government Lot 4 Section 30, Township 37 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, lying Westerly of the Westerly line of Shady Pine Road.

EXCEPTING THEREFROM the above described property units; A tract of land situated in the E1/2 of Section 25, T.37S. R.8E. and the W1/2 of Section 30, T37S. R.9E. of the W.M., Klamath County Oregon, being more particularly described as follows:

Commencing at the northeast corner of said Section 25 thence South  $02^{\circ}13'53''$  West, 1499.49 feet to the TRUE POINT OF BEGINNING, said point being on the southwesterly right-of-way line of Shady Pine Road; thence along said right-of-way line, along the arc of a 24850.48 foot radius curve to the right, through a central angle of  $01^{\circ}18'35''$  (the long chord of which bears South  $30^{\circ}21'42''$  East, 568.05 feet) an arc distance of 568.06 feet to a point of compound curvature; thence continuing along said right-of-way line, along the arc of a 2053.89 foot radius curve to the left, through a central angle of  $09^{\circ}41'19''$  (the long chord of which bears South  $33^{\circ}25'10''$  East, 346.90 feet) an arc distance of 347.31 feet; thence, continuing along said right-of-way line, South  $37^{\circ}14'05''$  East, 596.14 feet; thence, leaving said right-of-way line, North  $89^{\circ}03'07''$  West, 1315.63 feet to the easterly right-of-way line of Highway 97; thence along said easterly right-of-way line, North  $00^{\circ}10'19''$  West, 773.13 feet to the southwest corner of Parcel 2 as described in Deed Volume M04-79169, as recorded at the Klamath County Clerks Office; thence leaving said easterly right-of-way line and along the southerly line of said Parcel 2, South  $89^{\circ}03'07''$  East, 466.63 feet to the southeast corner of said Parcel 2; thence along the easterly line of said Parcel 2 the following two courses, North  $01^{\circ}29'53''$  East, 460.60 feet; thence North  $02^{\circ}13'53''$  East a distance of 6.70 feet to the Point of Beginning. Basis of Bearings is Grid north of the Oregon State Plane Coordinates System of 1983, South Zone. Containing 19.72 Acres, more or less.

### **Grantee's Parcel**

#### **Unit 1:**

Government Lots 1,2,3,4 lying Easterly line of Shady Pine Road, and 5; the NW1/4 of the NE1/4; the E1/2 of the NW1/4; All in Section 30 Township 37 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

A tract of land situated in Lot 5, Section 25, Township 37 South Range 8 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Beginning at an iron rod monument on the Westerly right-of-way line of Shady Pine Road which bears South  $05^{\circ} 01' 49''$  West a distance of 1335.29 feet from the brass cap monument marking the Northeast corner of said Section 25; said beginning point being the Southeasterly corner of parcel described in Volume M86, page 15572, Microfilm Records of Klamath County, Oregon; thence Southeasterly along the Westerly line of Shady Pine Road to its intersection with the East line of said Section 25; thence South  $01^{\circ} 17'$  West 5.0 feet, more or less, to the meander corner; thence South  $0^{\circ} 33'$  West along the East line of said Section 25 a distance of 460.6 feet; thence West 466.6 feet, more or less, to a point on the Easterly right-of-way line of the relocated Dalles-California Highway; as the same is presently located and constructed; thence Northerly along said right-of-way line to the Southwest corner of parcel described in Volume M86, page 15572, Microfilm Records of Klamath County, Oregon; thence North  $87^{\circ} 54'$  East along the South line of said parcel a distance of 374.83 feet, more or less, to the point of beginning

AND a tract of land situated in the E1/2 of Section 25, T.37S. R.8E. and the W1/2 of Section 30, T37S. R.9E. of the W.M., Klamath County Oregon, being more particularly described as follows:

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thence leaving said easterly right-of-way line and along the southerly line of said Parcel 2, South 89°03'07" East, 466.63 feet to the southeast corner of said Parcel 2; thence along the easterly line of said Parcel 2 the following two courses, North 01°29'53" East, 460.60 feet; thence North 02°13'53" East a distance of 6.70 feet to the Point of Beginning. Basis of Bearings is Grid north of the Oregon State Plane Coordinates System of 1983, South Zone. Containing 19.72 Acres, more or less.

EXCEPTING THEREFROM that portion of a strip of land 25 feet in width that lies within the above described property, said strip is described in Volume 128, page 279, Deed Records of Klamath County, Oregon, and shown on record of survey no. 1545.